

Based on the pleadings, the record and the applicable law, the Court finds that there is no plain error apparent from the face of the record. Accordingly, it is hereby **ORDERED AND ADJUDGED** that:

- (1) Judge Edison's Memorandum and Recommendation is **APPROVED AND ADOPTED** in its entirety as the holding of the Court; and
- (2) Defendants' Motion to Dismiss (Dkt. 18) is **DENIED**;

It is so **ORDERED**.

SIGNED and ENTERED this 17<sup>th</sup> day of June, 2018.

  
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GEORGE C. HANKS, JR.  
UNITED STATES DISTRICT JUDGE